

## REMARKS

Favorable reconsideration of this application is respectfully requested in view of the previous amendments and the following remarks.

Independent Claim 26 is rejected as being anticipated by U.S. Application Publication No. 2003/0066893, hereinafter Yap.

Amended Claim 26 recites a housing for connecting a portable smart device to a terminal device including structure defining a functional position for communicating with the smart device when the smart device is located at the functional position, connecting means for connecting with the smart device when the smart device is located at the functional position, so as to receive data from the terminal device. The housing also includes a transparent or translucent portion for allowing at least a portion of the smart device to be visible therethrough when the smart device is located at the functional position and connected to the first connecting means.

In the Official Action, the Examiner states that Yap's housing 4402 corresponds to a housing as recited. In so doing, the Examiner apparently takes the position that Yap's computer 100 constitutes a terminal device. Should the Examiner's position differ in anyway way from the above, it is respectfully requested that the Examiner specifically identify what is believed to constitute a terminal device in Yap's disclosure.

In any event, the housing 4402 does not include connecting means for connecting with a smart device so as to receive data from the computer 100. Indeed, there is no disclosure in Yap that the smart card 10 receives data from the computer 100 via the housing 4402.

Accordingly, Yap does not disclose a housing including connecting means for connecting with a smart device when the smart device is located at a functional position, so as to receive data from a terminal device, in combination with the other elements recited in amended Claim 26.

Claim 26 is therefore allowable over Yap. Withdrawal of the rejection of Claim 26 is respectfully requested.

Independent Claim 38 is also rejected as being anticipated by Yap.

Amended Claim 38 recites a housing for establishing a communication link between an electronic card and an external terminal device, including structure defining a functional position for receiving the card so as to establish a two-way communication link between the card and the external terminal device, and a part at least partially covering the structure, wherein the part comprises a transparent or translucent material.

For reasons consistent with the above discussion of Claim 26, Yap does not disclose a housing including structure defining a functional position for receiving a card so as to establish a two-way communication link between the card and an external terminal device. Indeed, assuming for the sake of discussion that a communication link between the smart card 10 and the computer 100 exists in Yap, that communication link is, at most, one-way.

Claim 38 is therefore also allowable over Yap. Withdrawal of the rejection of Claim 38 is respectfully requested.

Independent Claim 32 is rejected as being unpatentable over Yap in view of U.S. Patent No. 4,492,855, hereinafter Garczynski.

The Official Action states that an opposed bottom face of a card is visible in Yap via an opening 4410 in Yap's device. The Official Action correctly notes that Yap does not disclose a transparent or translucent portion which allows at least a portion of an opposed bottom face of a card to be visible through the transparent or translucent portion. The Official Action goes on to take the position that Garczynski cures the above-noted deficiencies in Yap.

Garczynski discloses a badge reader in which transparent films 51 and 52 are placed over openings in the reader. The Official Action thus appears to take the position that it would have been obvious to place a transparent film over Yap's opening 4410 in view of the disclosure in Garczynski. Should the Official Action's position differ in anyway way from the above, it is respectfully requested that the Examiner provide a detailed explanation as to how the Examiner proposes to modify Yap's device in view of Garczynski's disclosure.

Applicants respectfully submit that this modification to Yap's device would not have been obvious to an ordinarily skilled artisan. In particular, it is clear from Fig. 47(b) of Yap that a card can only be placed in the housing through the opening 4410. Thus, the device would be rendered inoperative for its intended purpose if a film were placed over the opening 4410-- the opening 4410 would be blocked and a card could not be placed in the housing at all.

Accordingly, neither Yap nor Garczynski, alone or in combination, discloses, teaches or suggests a housing including a transparent or translucent portion for allowing at least a portion of an opposed top face of said card and at least a portion of an opposed bottom face of said card to be visible through said transparent or translucent portion when the card is located at a functional position and connected to

an input connecting means, in combination with the other features recited in amended Claim 32.

Claim 32 is therefore allowable over Yap in view of Garczynski. Withdrawal of the rejection of Claim 32 is respectfully requested.

Independent Claim 41 is rejected as being anticipated by Yap.

Amended Claim 41 recites a housing for connecting a portable smart device having opposed top and bottom faces including structure defining a functional position for communicating with the smart device when the smart device is located at the functional position, a connecting means for connecting with the smart device when the smart device is located at the functional position, so as to send data to the smart device, and a transparent or translucent portion for allowing at least a portion of the opposed top face of the smart device and at least a portion of the opposed bottom face of the smart device to be visible through the transparent or translucent portion when the smart device is located at the functional position and connected to the connecting means.

Amended Claim 41 is allowable for reasons consistent with the above discussion of Claim 32. Withdrawal of the rejection of Claim 41 is therefore also respectfully requested.

The dependent claims are allowable at least by virtue of their dependence from allowable independent claims. The dependent claims also recite further distinguishing aspects of the housing at issue here. For example Claims 44, 45, 46 and 47 recite that the housing includes two transparent or translucent faces and is transparent or translucent through the thickness of the housing and above the

functional position so that the functional position is visible through the thickness of the housing.

Early and favorable action with respect to this application is respectfully requested.

Should any questions arise in connection with this application or should the Examiner believe that a telephone conference with the undersigned would be helpful in resolving any remaining issues pertaining to this application the undersigned respectfully requests that he be contacted at the number indicated below.

Respectfully submitted,

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